

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

EUGENE WOOTEN,

Plaintiff,

vs.

MONUMENTAL LIFE  
INSURANCE CO., et al.

Defendants.

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Case No. 4:05CV1851 JCH

**ORDER**

This matter is before the Court upon its review of the record. On November 7, 2005, Defendant filed a Motion to Dismiss Count III. (Doc. No. 14). To date, Plaintiff has not responded to the motion.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff is granted until **Tuesday, January 17, 2006**, within which to respond to Defendant's motion (Doc. No. 14). Failure to do so will result in the Court's ruling on Defendant's unopposed motion.

Dated this 30th day of December, 2005.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE